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9 October 1970

MEMORANDUM FOR THE RECORD

SUBJECT: Health and Medical Programs of the Uniformed Services

1. The Armed Forces have several medical programs. Criteria for qualification for such programs are based upon the individual's relationship to the Uniformed Services, his rights under other medical programs, and the availability of space and personnel under each program. Medical care is available both in Uniformed Services facilities and in civilian facilities. Benefits include inpatient and outpatient care, dental care and necessary drugs and appliances. Beneficiaries include active members of the Uniformed Services, retired members, and dependents of both, as well as dependents of deceased members. A summary of the features of the two basic programs is set forth below.

2. Active and retired members of the Uniformed Services receive medical and dental care in Uniformed Services facilities. Their dependents and dependents of deceased active duty and retired members may receive benefits through the Uniformed Services Health Benefits Program as provided by the Dependents' Medical Care Act of 1956, as amended in 1966 (P. L. 89-614, 80 Stat. 862). Two programs are available, the first is for care in Uniformed Services facilities on a space available basis; the second is for care in civilian facilities under the Civilian Health and Medical Program of the Uniformed Services (CHAMPUS).

3. Care in Uniformed Services facilities (subject to the availability of space and facilities and the capabilities of the professional staff) is provided for the following groups of individuals:

- a. dependents of servicemen (members) on active duty,
- b. retired servicemen entitled to retired, retainer or equivalent pay and their dependents,
- c. dependents of deceased servicemen who died while in an active duty status or while in a retired status.

Dependents are defined as:

- a. member's wife,
- b. unremarried widow, husband, if more than one-half of his support provided by member; unremarried widower, if he was dependent for more than one-half of his support on the member at the time of her death because of a mental or physical incapacity,
- c. unremarried legitimate child (including adopted and stepchildren) under 21, or over 21 if incapable of self support because of mental or physical incapacity that existed before the age of 21 and under 23, or enrolled in a full-time course of study and dependent on the member for more than one-half of his support,
- d. dependent parents or parents-in-law (dependent on the member for more than one-half of their support and residing in a dwelling provided or maintained by the member).

4. Care in Uniformed Services facilities consists of:

- a. Hospitalization
- b. Outpatient treatment and services
- c. Drugs
- d. Inpatient and outpatient treatment of:
  - (1) Medical and surgical conditions
  - (2) Nervous, mental and emotional disorders
  - (3) Chronic conditions and diseases
  - (4) Contagious diseases
- e. Physical examinations
- f. Immunization

- g. Maternity
- h. Diagnostic tests
- i. Family planning
- j. Home calls
- k. Ambulance service
- l. Artificial limbs and eyes and orthopedic aids
- m. Routine dental care outside the U. S. and in certain designated installations in the U. S.; emergency dental care anywhere

5. The cost to the beneficiary of care at Uniformed Services facilities is \$1.75 per day for hospitalized dependents and cost of subsistence for retired officers and warrant officers. Retired enlisted members pay nothing.

6. The CHAMPUS program of care in civilian facilities is authorized for the same groups listed above except dependent parents and parents-in-law. Basically, the same benefits as listed above are offered. However, beneficiaries who require more than 45 days' care for a chronic condition or a nervous, mental or emotional disorder must have a plan for management of the condition approved by CHAMPUS authorities. Dental care however to be approved must be required as a necessary adjunct to medical or surgical treatment of a nondental primary condition.

7. The cost of care under the CHAMPUS program depends upon the status of the beneficiary. Dependents of active duty members must pay the first \$25 of the hospital charge or \$1.75 per day, whichever is the greater. Other authorized beneficiaries are reimbursed 75% of the reasonable charges of hospitalization. Active duty dependents must pay the first \$50 per year per beneficiary or \$100 per family for outpatient care. They are then reimbursed for 80% of the remaining reasonable charge. All other beneficiaries have the same deductible applied but are reimbursed for only 75% of the remaining reasonable charge.

8. The law requires that other insurance benefits be utilized before CHAMPUS makes a payment. CHAMPUS will then pay the remaining allowable charges if they do not exceed the amount it would have paid had there been no insurance.

9. All beneficiaries, other than dependents of active duty personnel, lose their eligibility for CHAMPUS benefits when they become eligible for Medicare, as they are considered "enrolled in another insurance program provided by law". However, one does not lose authorization for care in a Uniformed Services facility because of entitlement to Medicare.

10. Except for emergencies, dependents of active duty members residing with their sponsors in the United States must use Uniformed Services hospitals for hospitalization. The individual may be treated in civilian facilities if he is issued a "Nonavailability Statement", stating inpatient care cannot be provided at a nearby Uniformed Services medical facility.

11. Finally, all retired members of the Uniformed Services are eligible for care for nonservice-connected disabilities in Veterans Administration facilities on a space available basis. In effect, this supplements the coverage available to such individuals under the above programs.

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Assistant General Counsel

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